

E 212/8-09 (81)  
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ATTORNEY DOCKET NO.: 381AS/42640RE  
PATENT

DECLARATION AND POWER OF ATTORNEY  
REISSUE PATENT APPLICATION

As the below named inventors, we hereby declare that our citizenship, residence postal addresses and residences are as stated below; that we verily believe ourselves to be the original, first and joint inventors of the invention entitled:

**AIR FLOW RATE CONTROL APPARATUS**

the specification of which was filed on November 24, 1997 and included original U.S. Patent No. 5,868,114, issued February 9, 1999, and amendments thereto as required by 37 C.F.R. § 1.171 et seq.

We verily believe that, as provided in 37 C.F.R. § 1.175, the original U.S. Patent No. 5,868,114 is partly inoperative because we claimed less than we had a right to claim in the patent, as indicated in particular by the scope of the additional broader claims being submitted herewith as Claims 21-26. The assignee of this patent recently discovered the error and the need for broadened claim coverage upon reviewing the patent.

All errors being corrected in this reissue application up to the time of filing of this Declaration arose without deceptive intent on the part of the Applicant.

We offer to surrender the original patent and/or provide an appropriate affidavit or declaration in the event the same is lost, upon the indication of allowability of the reissue patent application.

We hereby state that we have reviewed and understand the contents of the above-identified Specification, including the Claims, as amended by any amendment referred to above. We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (a).

We hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

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PATENT - REISSUE DECLARATION  
Page 2

Prior Foreign Application(s) Priority Claimed

|                  |              |                        |               |
|------------------|--------------|------------------------|---------------|
| <u>07-004673</u> | <u>Japan</u> | <u>17 January 1995</u> | <u>Yes</u>    |
| (Number)         | (Country)    | (Day/Month/Year)       |               |
| <u>07-006189</u> | <u>Japan</u> | <u>19 January 1995</u> | <u>      </u> |
| (Number)         | (Country)    | (Day/Month/Year)       |               |

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 (a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

|                   |                          |                          |
|-------------------|--------------------------|--------------------------|
| <u>08/969,708</u> | <u>November 24, 1997</u> | <u>U.S.P. 5,868,114</u>  |
| (Application      | (Filing Date)            | <u>for which this is</u> |
| Serial No.)       |                          | <u>reissue appln.</u>    |
|                   |                          | (patented _____).        |

We hereby appoint as principal attorneys:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; Jeffrey D. Sanok, Reg. No. 32,169, to prosecute and transact all business in the Patent and Trademark Office connected with this application and any related United States and international applications. Please direct all communications to:

**Evenson, McKeown, Edwards & Lenahan**  
1200 G Street, N.W., Suite 700  
Washington, D.C. 20005  
Telephone: (202) 628-8800  
Facsimile: (202) 628-8844

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false

statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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Date Signature of 1<sup>st</sup> inventor

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Date Signature of 2<sup>nd</sup> inventor

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日付 → (03/06/2001) (K. Nagayama.) ← 長山  
Date Signature of 4<sup>th</sup> inventor

**ASSIGNEE'S CONSENT**

Hitachi, Ltd., Japan, assignee of the entire right, title and interest in and to U.S. Letters Patent No. 5,868,114, hereby assents to the filing of the attached application for reissue of said patent in accordance with 37 C.F.R. §1.172.

日付 → 3/16/2001  
Date  
By: Yasuo SAKUTA.  
Hitachi, Ltd. Japan  
Yasuo SAKUTA, Patent Attorney  
Executive Managing Director,  
Intellectual Property Group  
(Authorized Signing Officer)

Attorney Docket: 381AS/42640RE  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: YASUHIRO KAMIMURA ET AL.

Serial No.: 09/779,710                      Group Art Unit: Unassigned

Filed: FEBRUARY 9, 2001                      Examiner: Unassigned

Title: AIR FLOW RATE CONTROL APPARATUS

**NOTICE OF CHANGE OF  
CORRESPONDENCE ADDRESS OF ATTORNEYS OF RECORD  
UNDER 37 C.F.R. §1.33(d)**

Commissioner for Patents  
Washington, D.C. 20231

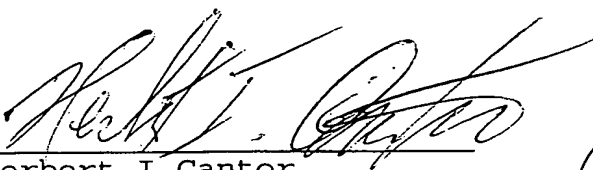
June 21, 2001

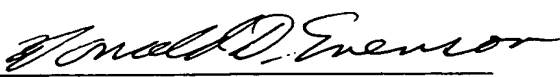
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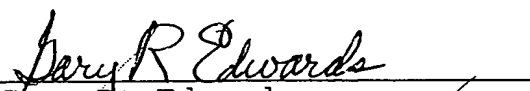
As an attorney of record acting on behalf of the Applicant, the undersigned hereby gives notice of a change of correspondence address of attorneys of record, under 37 C.F.R. §1.33(d). Please send all future correspondence to the following address:

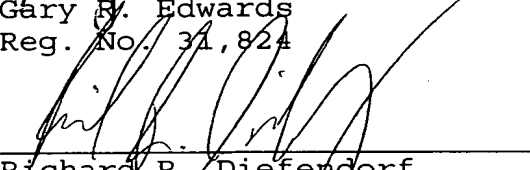
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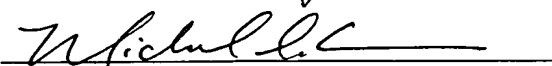
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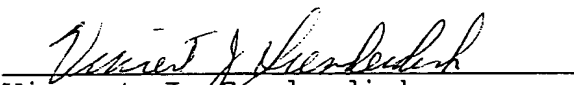
  
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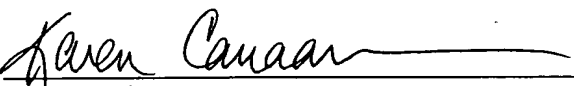
  
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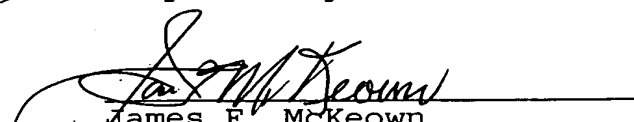
  
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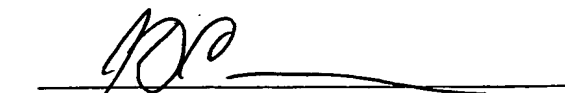
  
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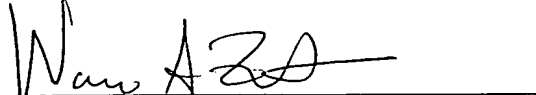
  
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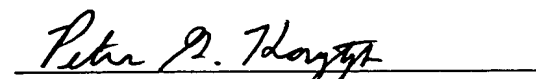
Respectfully submitted,


  
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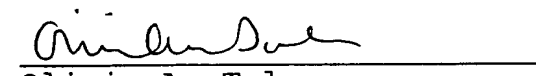
  
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Washington, D.C.  
May 1, 2001  
Ref.2156/02474